OCT O 3 2003

Docket Number: 009901-0290430

PATENT APPLICATION

Client Reference: DUF/KB/Z70564/UST

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of

CHARLES LEW LERMAN

Group Art Unit: 2121

Application No.: 10/048,022

**Examiner: Unassigned** 

Filed: June 14, 2002

Confirmation No.: 1233

For: ANALYSIS AND PATTERN RECOGNITION IN LARGE, MULTIDIMENSIONAL DATA

SETS USING LOW- RESOLUTION DATA GROUPING

RECEIVED.

OCT 1 0 2003

Technology Center 2100

**INFORMATION DISCLOSURE STATEMENT** 

Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the two attached PTO-1449 forms. In accordance with PTO rules, no copies of the U.S. patents are provided herein. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This IDS is submitted under 37 C.F.R. § 1.97(b)(4) before the mailing of a first Office action on the merits. Therefore, no fee is believed necessary with this IDS. However, should the IDS fee be missing or inadequate please charge the deficiency to our Deposit Account No. 03-3975 under Order No. 009901/0290430.

This IDS is intended to be in full compliance with the rules, but should the Examiner find any part of its required content to have been omitted, <u>prompt</u> notice to that effect is earnestly solicited, along with additional time under Rule 97(f), to enable Applicant to comply fully.

Consideration of the foregoing and enclosures plus the return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609 are earnestly solicited along with an early action on the merits.

All documents identified in the corresponding International Search Report have been previously submitted by virtue of the transfer of this application to National Phase prosecution in compliance with Rule 56.

Respectfully Submitteg

Dale S. Lazar

Registration Number 28872

Date: October 3, 2003

PILLSBURY WINTHROP LLP Telephone: (703) 905-2000 Facsimile: (703) 905-2500

P.O. Box 10500 McLean, VA 22102



PTO/SB/08a (05-03)
Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

|       | er the Paperwork Reduction Act of 1995 estitute for form 1449A/PTO | , no pe | rsons are required to re | respond to a collection of information unless it contains a valid OMB control number.  Complete if Known |                |  |
|-------|--|---------|--------------------------|--|----------------|--|
|       |  |         |                          | Application Number   | 10/048,022     |  |
| 11    | NFORMATION DISC  | CLC     | SURE                     | Filing Date  | 06/14/2002     |  |
|       | TATEMENT BY AF   |         |                          | First Named Inventor   | LERMAN         |  |
|       |  |         |                          | Art Unit   | 2121           |  |
|       | (Use as many sheets as neo   | essary  | )                        | Examiner Name  | Unassigned     |  |
| Sheet | 1  | of      | 1                        | Attorney Docket Number   | 009901-0290430 |  |

| Examiner  | Cite             | Document Number                          | Publication Date | Name of Patentee or         | Pages, Columns, Lines, Where                    |
|-----------|------------------|--|------------------|-----------------------------|---|
| Initials* | No. <sup>1</sup> | Number-Kind Code <sup>2 (If known)</sup> | MM-DD-YYYY       | Applicant of Cited Document | Relevant Passages or Relevant<br>Figures Appear |
|           |                  | <sup>US-</sup> 5,317,686                 | May 1994         | Salas et al.                |   |
|           |                  | <sup>US-</sup> 5,701,400                 | Dec 1997         | Amado                       | RECEIV  |
|           |                  | <sup>US-</sup> 5,727,175                 | March 1998       | Malone et al.               | TILCEIV   |
|           |                  | <sup>US-</sup> 5,764,975                 | June 1998        | Taniguchi et al.            | 0CT 1 0 20                                      |
|           |                  | <sup>US-</sup> 5,883,623                 | March 1999       | Cseri                       | 991 1 0 2                                       |
|           |                  | <sup>US-</sup> 6,138,130                 | Oct 2000         | Adler et al.                | Technology Cen                                  |
|           |                  | <sup>US-</sup> 6,185,582                 | Feb 2001         | Zellweger et al.            |   |
|           |                  | <sup>US-</sup> 6,282,551                 | Aug 2001         | Anderson et al.             |   |
|           |                  | US-                                      |                  |                             |   |
|           |                  | US-                                      |                  | 1                           |   |
|           |                  | US-                                      |                  |                             |   |
|           |                  | US-                                      |                  |                             |   |
|           |                  | US-                                      |                  |                             |   |

| FOREIGN PATENT DOCUMENTS |                          |   |                                |  |   |                |  |  |  |
|--------------------------|--------------------------|---|--------------------------------|--|---|----------------|--|--|--|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document  Country Code <sup>3–</sup> Number <sup>4–</sup> Kind Code <sup>5</sup> ( <i>if known</i> ) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages<br>or Relevant Figures Appear | T <sup>6</sup> |  |  |  |
|                          |                          |   |                                |  |   |                |  |  |  |
|                          |                          |   |                                |  |   |                |  |  |  |
|                          |                          |   |                                |  |   |                |  |  |  |
|                          |                          |   |                                |  |   |                |  |  |  |
|                          |                          |   |                                |  |   |                |  |  |  |

|           | <br> |                |            |  |
|-----------|------|----------------|------------|--|
| Examiner  | <br> | <del>"</del> " | Date       |  |
| Signature |      |                | Considered |  |

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

OCT 0 3 2003

PTO/SB/08b(05-03) Approved for use through 04/30/2003. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE bersons are required to respond to a collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of

| Substitute for form 1449B/PTO |                        |           |                      |                        | Complete if Known |                |           |
|-------------------------------|------------------------|-----------|----------------------|------------------------|-------------------|----------------|-----------|
|                               |                        |           |                      | Application Number     | 10/048,022        |                |           |
| _                             | RMATION DI             |           | :                    | Filing Date            | 06/14/2002        | RECEIN         | VED.      |
| STATEMENT BY APPLICANT        |                        |           | First Named Inventor | LERMAN                 |                   | ر کیا سا       |           |
|                               |                        |           |                      | Art Unit               | 2121              | OCT 1 0 2      | 003       |
| !                             | (Use as many sheets as | necessary | )                    | Examiner Name          | Unassigned        | - 1            | . 2422    |
| Sheet                         | 1                      | of        | 1                    | Attorney Docket Number | 009901-0290430    | Technology Cer | iter 2100 |

|                       |              | NON PATENT LITERATURE DOCUMENTS   |    |
|-----------------------|--------------|---|----|
| Examiner<br>Initials* | Cite<br>No.1 | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | Τ² |
|                       |              | Dynamic Layout Mechanism for the Massive-Node Server Status Monitor, IBM Technical Disclosure Bulletin, Vol. 36, No. 05, May 1993, pgs. 169-170   |    |
|                       |              | Eisen et al., "Cluster analysis and display of genome-wide expression patterns" Proc. Natl. Acad. Sci USA. Vol. 95, pp 14863-14868. Dec 1998  |    |
|                       |              | Stanton et al., "Application of nearest-neighbor and cluster analyses in Pharmaceutical Lead Discovery," J Chem. Inf. Comput. Sci. 1999, 39, 21-27 AmChem Soc.  |    |
|                       |              | Dodge et al, "Microsoft Excel 97 for Windows 95 and Windows NT 4.0," published by Microsoft Press, pp. 244-248, 605, 646 (1997)   |    |
|                       |              | · · · · · · · · · · · · · · · · · · ·   |    |

| Examiner  | Date       |  |
|-----------|------------|--|
| Signature | Considered |  |

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S. C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450.

DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.